

## Message Text

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INFO OCT-01 IO-13 ISO-00 L-03 DLOS-06 SAL-01 /029 R

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APPROVED BY OMSN:MVTRENT

EA/ANP:RLWILLIAMS

IO/UNP:DLSCHIELE

L/UNA:DPSTEWART

D/LOS:JPBERNHARDT

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O R 072248Z SEP 76

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK IMMEDIATE

INFO CINCPACREPGUAM/TTPI

C O N F I D E N T I A L STATE 221383

USUN FOR LOS DEL PASS BUSBY AND OXMAN

E.O. 11652: GDS

TAGS: PFOR, TQ, PLOS, UN

SUBJECT: CONSULTATIONS WITH MICRONESIAN DELEGATION

FROM OMSN AND STATE

CINCPAC FOR STATUS LNO SAIPAN

1. THE FOLLOWING IS PROVIDED AS GUIDANCE FOR D/LOS MEETING WITH MR. WYLE AND MICRONESIAN LOS DELEGATION, WHICH WE UNDERSTAND HAS BEEN REQUESTED FOR 4:30 P.M. SEPTEMBER 8.

2. USDEL SHOULD ATTEMPT TO SET A GENERALLY PESSIMISTIC TONE WITH RESPECT TO MICRONESIAN LOS AND MARINE RESOURCES DEMANDS. YOU SHOULD NOTE UN LOS CONFERENCE WILL NOT LIKELY SUPPORT MICRONESIAN VIEWS, NOR IS IT LIKELY FINAL LOS CONVENTION WILL BE AGREED UPON THIS CONFERENCE (ASSUMING THESE ARE REALISTIC, LEGITIMATE JUDGMENTS).

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3. NO OBJECTION TO USDEL EXPRESSING D/LOS POSITIONS ON ISSUES IN REVISED SINGLE NEGOTIATING TEXT. IT IS IMPORTANT, HOWEVER, TO AVOID ANY USG COMMITMENT ON MICRONESIAN POSITIONS AT THIS TIME BUT YOU SHOULD ADVISE MICRONESIAN GROUP THAT USG IS STILL CONSIDERING MICRONESIAN VIEWS.

4. WITHOUT INDICATING US POSITION, USDEL SHOULD ATTEMPT TO OBTAIN MICRONESIAN VIEWS ON THE FOLLOWING MATTERS:

A. JURISDICTIONAL RIGHTS

(1) CONCEPTS: COASTAL STATE; ARCHIPELAGIC STATE; NON-SELF-GOVERNING AREAS;

(2) COVERAGE: TERRITORIAL SEAS; ECONOMIC ZONE; HIGH SEAS; CONTINENTAL SHELF; SEABED; ISLANDS;

(3) EXERCISE OF LOS RIGHTS: ROLE OF GOM CENTRAL GOVERNMENT; ROLE OF INDIVIDUAL ISLAND STATES;

(4) ALTERNATIVES: HAS THE MICRONESIAN LOS DELEGATION OR (IF PRESENT) THE CHAIRMAN OF THE MICRONESIAN STATUS AND TRANSITION COMMISSION CONSIDERED WHETHER MICRONESIAN GOALS NECESSITATE THE ATTAINMENT OF THE ABOVE RANGE OF JURISDICTIONAL AIMS, OR WHETHER THEY MIGHT BE MORE ADEQUATELY SECURED BY "BENEFICIAL USE" ARRANGEMENT?

B. ENFORCEMENT AND FEE COLLECTION

(1) AREAS OF RESPONSIBILITIES: U.S.; MICRONESIAN--GOM AND STATES

(2) POLLUTION CONTROL

(3) TYPE

(4) COSTS

C. DISPUTE SETTLEMENT MACHINERY: LOS; ICJ OR OTHER  
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INTERNATIONAL TRIBUNALS IF PEOPLE OF MICRONESIA OPT FOR RELEVANT POLITICAL STATUS; U.S. COURTS OR OTHER TYPES OF DOMESTIC SETTLEMENT ARRANGEMENTS AS ENVISAGED WITHIN DRAFT COMPACT TEXTS.

D. US/MICRONESIAN COMMERCE AND TRADE

(1) QUOTA SYSTEMS

(2) MICRONESIAN VIEWS ON COMMERCE AND MARINE EXPLOITATION

(3) NONDISCRIMINATION AGAINST U.S. MARITIME INTERESTS

E. OTHER

(1) SCIENTIFIC VENTURES

(2) POSSIBLE ACCESS TO FEDERAL PROGRAMS/U.S. TECHNICAL ASSISTANCE REGARDING MICRONESIAN MARINE RESOURCE DEVELOPMENT AND CONSERVATION.

5. USDEL SHOULD INFORM MICRONESIANS THAT THEIR VIEWS WILL BE CONVEYED TO OMSN, WHICH HAS COMPLETE RESPONSIBILITY AND AUTHORITY FOR ALL POLITICAL STATUS NEGOTIATIONS, INCLUDING UNRESOLVED MARINE RESOURCES QUESTIONS. SUCH QUESTIONS ARE APPROPRIATELY DISCUSSED IN CONTEXT OF BILATERAL STATUS NEGOTIATIONS. ROBINSON

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**TAGS:** PFOR, PLOS, TQ, US, UN  
**To:** USUN NEW YORK  
**Type:** TE  
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